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MAY 25 2004

OFFICIAL

PATENT#18/E
W. Young
6/2/04IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/474,783
Applicant : Donald K. Newell
Filed : December 30, 1999
TC/A.U. : 2611
Examiner : Nalevanko, Christopher R.

Confirmation No.: 2707

Docket No. : 42390.P6929
Customer No. : 08791

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

SIR:

In response to the Office Action mailed on February 25, 2004, with the three-month shortened statutory period for response set to expire on May 25, 2004, please reconsider the above-identified application in view of the following amendments and/or remarks.

Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP OFFICIAL

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FACSIMILE COVER SHEET

Deliver to: Christopher Nalevanko, USPTO

Art Group: 2611

Facsimile No.: 1-703-872-9306

Date: May 25, 2004

From: Gregory D. Caldwell, Reg. No. 39,926

Our Docket No.: 42390P6929

Number of pages 13; including this sheet.

Application No.: 09/474,783

Filing Date: 12/30/1999

Docket Due Date(s): 5/25/2004 6/25/2004

Enclosed are the following documents:

- ☒ Amendment: Response (10 pgs)

☐ Appeal Brief (in triplicate) (_____pgs)

☐ Application: _____
 (_____pgs) w/cover & abstract)

☐ Assignment & Cover Sheet (_____pgs)

☒ Certificate of Facsimile

☐ Continued Prosecution Application (CPA)

☐ Declaration & POA (_____pgs)

☐ Drawings: _____ sheets, _____ figures

☐ Extension of Time: _____

☒ Fee Transmittal (In duplicate)

☐ IDS & PTO/SB/08 (_____pgs)

☐ Other _____

☐ Issue Fee Transmittal

☐ Notice of Appeal

☐ Petition for: _____

☐ Request for Continued Examination (RCE)

☐ Reply Brief (_____pgs)

☐ Request & Certification Under 35 USC 122(b)(2)(B)(i)

☐ Request to Rescind Previous Nonpublication Request

☐ Response to Notice of Missing Parts & Formalities Letter

☐ Response to Written Opinion (_____pgs)

☐ Terminal Disclaimer

☐ Transmittal of Publication Fee Due

☐ Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Deborah L. Higham

05/25/2004

Date _____

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

Application Number	09/474,783
Filing Date	December 30, 1999
First Named Inventor	Donald K. Newell
Examiner Name	Christopher Nalevanko
Art Unit	2611
Attorney Docket No.	42390P6929

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☒ None
☐ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☐ Credit any overpayments
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
21	2f*	0	\$0.00
Independent Claims	3	3*	0
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	280	2203	146	Multiple Dependent claim, if not paid	
1204	86	2204	43	**Reissue Independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

*or number previously paid, if greater, For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920 *	1804	920 *	Requesting publication of SIR prior to Examiner action	
1805	1,840 *	1805	1,840 *	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1404	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to Institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type) Gregory D. Caldwell

Signature

Registration No. (Attorney/Agent)

39,926

Telephone

(503) 684-6200

Date

05/25/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w/ir) 02/10/2004.
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450